1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 DISTRICT OF NEVADA 10 ADAM FRADELLA, 11 Plaintiff, 12 Case No: 2:09-cv-00680-LRH-PAL 13 14 HENDERSON POLICE DEPARTMENT; CITY OF HENDERSON; DOE POLICE 15 OFFICERS I-XX; JOHN DOES I-XX; and MUNICIPAL ROES I-X, 16 17 Defendants. 18 STIPULATION AND ORDER FOR STAY 19 IT IS HEREBY STIPULATED and AGREED, by and between Plaintiff ADAM 20 FRADELLA by and through his attorney of record, Rusty Graf, Esq., and Defendants 21 22 HENDERSON POLICE DEPARTMENT and CITY OF HENDERSON by and through their 23 attorney of record, Ron Sailon, Assistant City Attorney, that the above-referenced case be, in 24 the interest of justice, stayed pending resolution of the criminal cases currently pending 25 against Adam Fradella in both the Henderson Municipal Court, Case No. 08 CR00006 and the 26

Eighth Judicial District Court, case No. C251932, the former of which is scheduled for a

status check (re: case in Eighth Judicial District Court) on October 5, 2009 at 10:00 a.m. in

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Department 2, and the latter of which is scheduled for a calendar call on September 24, 2009 1 2 at 9:30 a.m. and a jury trial on September 28, 2009 at 10:30 a.m. in Department 2. 3 The reasons for the stay are that (1) the civil case and the criminal cases stem from the 4 same incident and facts, (2) neither the Plaintiff or Defendant will be burdened or prejudiced 5 by the stay, and (3) a stay is necessary to avoid the Plaintiff potentially having to incriminate 6 himself in the civil case to the detriment of his ability to defend himself in the criminal case. 7 DATED this day of April, 2009. 8 CITY OF HENDERSON 9 FELDMAN GRAE SHAUNA_M.THUGHES, City Attorney 10 11 Ron Sailon Rusty Graf, Esq. 12 Assistant City Attorney Neyada Bar No. 6322 13 Nevada Bar No. 1451 8515 Edna Avenue, #110 240 Water Street Las Vegas, Nevada 89117 14 PO Box 95050, MSC 144 Attorney for Plaintiff Henderson, Nevada 89009-5050 15 Attorney for Defendants ORDER 16 Based upon the foregoing Stipulation by the parties and good cause appearing 17 18 therefore, it is hereby: 19 20 21 22 23 24 25 26 27 28

ORDERED, ADJUDGED and DECREED that a stay of this case shall be in effect until, and Defendant's answer shall be due by no later than, October 13, 2009.

DATED this 28th day of April, 2009.

LARRY R. HICKS UNITED STATES DISTRICT JUDGE

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